Status of the Claims

Claims 1-37, 39, and 41 are pending in the present application, with Claims 1, 11, 17 and 27 being independent. Claims 1-4, 7, 11, 12, 14, 15, 17-20, 22, 23, 27-34, and 37, have been amended. Claim 41 has been added. Support for the new claims and claim changes can be found in the original disclosure, and therefore no new matter has been added.

Requested Action

Applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Formal Claim Rejections

Claims 1-37 and 39 are rejected under 35 U.S.C. § 112, second paragraph, because the preamble of Claim 1 and the other independent claims recite "a file", while the body of Claim 1 recites a first file, and the body of Claim 7 recites a second file. In response, while not conceding the propriety of the rejection, the claims have been amended to address the points raised by the Examiner. Applicant submits that as amended the claims now even more clearly satisfy 35 U.S.C. § 112, second paragraph.

Claims 17-33, 36, and 37 are rejected under 35 U.S.C. § 101 because the Examiner interprets the "means" language as relating to a computer program in view of page 5, lines 7-9 of the specification, and therefore, the Examiner concludes that these claims do not satisfy 35 U.S.C. § 101. In response, this rejection is respectfully traversed because page

5, lines 7-9 of the specification are not understood to require the various means to be implemented with a computer program. Nevertheless, the "means plus function" language has been removed from the objected to claims, thereby obviating the rejection. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Substantive Rejections

Claims 1-3, 6, 7, 10-14, 16-19, 22, 23, 26-30, 32-37, and 39 are rejected under 35 U.S.C. § 102(b) as being anticipated by the article by Cheong S Ang, Peter Brantley, and Michael Doyle. *"Polymap: A Versatile Client-Side Image Map for the Web"*, Proceedings of the Fourth WWW Conference at Boston, Dec. 1995, pp. 1-10. Claims 1-4, 6, 7, 9-20, 22, 23, and 25-37 are rejected under 35 U.S.C. § 102(e) as being anticipated by Niemi, U.S. Patent Appln. Publ. No. 2002/0105531. Claims 5, 8, 21 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the article by Cheong S Ang, Peter Brantley, and Michael Doyle. Claims 5, 8, 21, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Niemi, in view of the discussion of SWF and JPEG2000 file formats in the specification.

Response to Substantive Rejections

In response, while not conceding the propriety of the rejections, independent Claim 1, 11, 17 and 27 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to a method comprising the step of defining at least one zoomable area in an image, a zoomable area being defined by characteristics of

location of the area in the image and for which additional data defining the image at a greater quality or resolution are available, writing the characteristics of the at least one zoomable area in a first file, and writing in the first file.

Claim 1 has been amended to recite that the defining step defines at least one zoomable area in a digital image. Claim 1 has also been amended to recite that the first-file writing step writes in the first file instructions in a language executable by a client terminal computer, the instructions being adapted to cause the client terminal computer to perform a management function for navigation in the image when executed by the client terminal computer.

Amended independent Claim 11 relates to a reading method implemented in a client terminal computer, comprising the steps of reading characteristics of at least one zoomable area in a first file, a zoomable area being defined by characteristics of location of the area in an image and for which additional data defining the image at a greater quality or resolution are available, and receiving a navigation instruction. Claim 11 also recites an instruction reading step and an executing step.

Claim 11 has been amended to recite that the zoomable area is defined by characteristics of location of the area in a digital image. Claim 11 has also been amended to recite that the receiving step receives a navigation instruction for the display of an area of the digital image. Claim 11 has been further amended to recite that the reading step reads instructions in a language executable by the client terminal computer, in the first file, and the executing step executes the instructions thereby performing a management function for navigation in the image.

By these arrangements, the computer terminal can be provided with a more flexible definition of the way it operates.

In contrast, the citations to Cheong S Ang, et al. and <u>Niemi</u> are not understood to disclose or suggest the step of writing in a first file instructions in a language executable by a client terminal computer, the instructions being adapted to cause the client terminal computer to perform a management function for navigation in a digital image when executed by the client terminal computer, as recited by amended Claim 1. In addition, these citations are not understood to disclose or suggest reading instructions in a language executable by the client terminal computer, in a first file, and executing the instructions thereby performing a management function for navigation in the digital image, as recited by Claim 11.

For these reasons, Applicant submits that the Office has not satisfied its burden of proof to establish the anticipation of amended Claims 1 and 11 over the citations to Ang, et al. and Niemi. Therefore, Applicant respectfully requests that the rejections of Claims 1 and 11 be withdrawn. And since independent Claims 17 and 27 are corresponding device claims, respectively, that have been amended in a similar manner, they are submitted to be allowable for similar reasons. Therefore, Applicant respectfully requests that the rejections of Claims 17 and 27 also be withdrawn.

The Office Action states that the instructions written, read, and executed in Ang, et al. and Niemi are in a language that is implemented by and executed by a computer and for that reason, these citations teach the claimed writing, reading, and executing of a computer executable language, as discussed at page 7, lines 14-16 and page 16, lines 17-18 of the Office Action.

But, Applicant would like to point out that Claim 1 has been amended to recite the writing in the first file of instructions in a language executable by a client terminal computer, the instructions being adapted to cause the client terminal computer to perform a management function for navigation in a digital image when executed by the client terminal computer, and Claim 11 has been amended to recite reading instructions in a language executable by the client terminal computer, in a first file, and executing the instructions thereby performing a management function for navigation in the digital image, as recited by Claim 11. And while Ang, et al. and Niemi read and write different kinds of data, they are not understood to read and write instructions in a language executable by a client terminal computer. More specifically, the read and written data discussed in the Office Action with respect to Ang, et al. and Niemi is not understood to be equatable to "instructions" in a language executable by a *client terminal computer*, as specified in both Claims 1 and 11. There is a clear distinction in information technology between data, which are to be processed by a computer which is itself operating in accordance with a computer program, and instructions in a language executable by a computer, which instructions are to be executed by the computer, i.e., which constitute the computer program determining the way the computer operates. Thus, these citations are not understood to disclose or suggest the first-file writing, reading, and executing steps recited by amended Claims 1 and 11.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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